

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 04-10233-RCL

JONATHAN BEIJAR,

Plaintiff,

v.

STANLEY FASTENING SYSTEMS,
L.P.

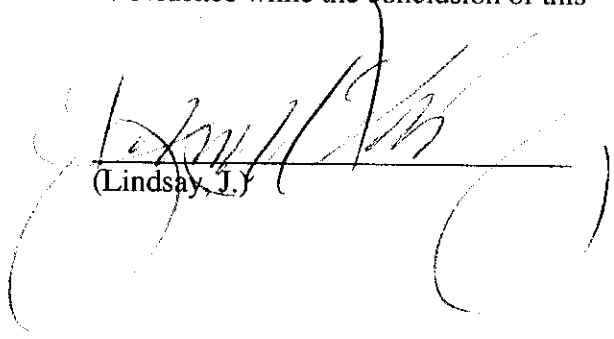
Defendant.

**PROPOSED ORDER TO PRESERVE NAILER AND TO PERMIT INSPECTION AND
NON-DESTRUCTIVE TESTING**

Care Free Homes, Inc. and/or Wayne Edwards, whichever is in custody of the pneumatic nailer ("nailer") that supposedly was involved in Mr. Beijar's accident are hereby ordered to produce the nailer to counsel for Stanley Fastening Systems, L.P. ("Stanley"), within 14 days of the date of this Order.

Stanley may inspect and perform non-destructive testing on the nailer for a period of 30 days following its actual receipt of the nailer. Stanley will then provide the nailer to counsel for Jonathan Beijar, who will also have 30 days to inspect the nailer and perform non-destructive testing. At the conclusion of 30 days, counsel for Beijar will return the nailer to counsel for Stanley for safekeeping. Thereafter, the parties will preserve the evidence while the conclusion of this litigation absent further order from this court.

Dated: March 25, 2004


(Lindsay J.)